



*The Commonwealth of Massachusetts*

*Department of  
Public Utilities*

*State House, Boston*

May 10, 1941

Mr. Hamilton Armstrong, Clerk  
Board of Selectmen  
Southborough, Massachusetts

Dear Sir:

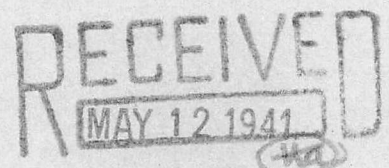
Enclosed please find copy of Chapter 160, Section 147, as  
per our telephone conversation of recent date.

Very truly yours,

*John J. Kelley*

John J. Kelley  
Inspector  
Div. of Railway & Bus Utilities

Enclosure  
JJK:ah



CHAPTER 160 - SECTION 147

The department, after notice to a railroad corporation whose railroad crosses a public way or traveled place at the same level, and a hearing, may direct in writing that gates shall be erected at said crossing across said way or place and that an agent be stationed thereat to open and close such gates when an engine or train passes, or that a flagman be stationed at the crossing, who shall display a flag when an engine or train passes, or that such crossing shall be provided with such an electric signal as the department determines the better security of human life or the convenience of public travel requires, and the corporation shall comply with such order.

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COPY

June 2, 1941

Department of Public Utilities  
Division of Railway & Bus Utilities  
State House, Boston, Mass.

Gentlemen:

Regarding the New Haven railroad crossing in Southborough center, on our Main Street, State Route #30, the Selectmen feel that trains should stop, and the gates be lowered, (with proper lighting when necessary,) or that electric warning signals be installed as stated in Chapter 160, Section 147.

Yours truly,

BOARD OF SELECTMEN

By *Hamilton Armstrong*

Clerk.

BS:HA

## EXECUTIVE COMMITTEE

D. C. RICHARDSON, PRESIDENT  
D. M. SPAULDING  
JUSTIN L. COBB } VICE PRES'TS  
GEO. C. SHIELDS  
W. M. LOWNEY  
F. J. SMITH  
H. E. KING

## MANSFIELD BOARD OF TRADE

MANSFIELD, MASS.

## SECRETARY

A. VERNON WILSON

## TREASURER

WILLIAM L. ROBINSON

Mansfield, Mass., Feb. 4, 1911.....191

Dear Sir:

A few days ago we called to your attention the importance of securing legislation by the present General Court to relieve the tax payers of the Commonwealth from the burden of an unjust tax, which is being imposed by the operation of a present law.

A bill for this purpose has been introduced into the Legislature and listed as House Bill #509--“An Act Relative to the Abolition of Grade Crossings.” If the senators and representatives from your section rightly understand the importance of the passage of this bill, as affecting the interests of our tax payers, the chances are very favorable for its enactment by the present General Court.

This Board of Trade will adopt the following resolution:

“Voted: That in view of the fact that the Massachusetts tax payers are annually burdened by an unjust tax imposed by the operation of an inequitable law, which provides that 35% of the cost of the abolition of all grade crossings shall be borne by the Commonwealth, its cities and its towns, thereby compelling every tax payer in the State to join in contributing annually for the improvement of railroad corporations' property, the Mansfield Board of Trade strongly urges that action to prevent this lamentable drain be no longer delayed by the General Court.

Therefore, be it resolved that this Board of Trade respectfully requests the Honorable Senator (or Representative) from the First Bristol District to support and vote in favor of House Bill #509--“An Act Relative to the Abolition of Grade Crossings.”



ALFRED J. MERCER  
Chairman

HENRY D. BLACKMAN

WILLIAM P. BROWN  
Secretary



TOWN OF NEEDHAM  
MASSACHUSETTS  
BOARD OF SELECTMEN

*Office*

*PR.*

Dear Sir,

The present transportation situation is the problem not of one or two towns but of all suburban towns. The crowded conditions of the highways makes it necessary to find some way of getting some of the automobiles off the road. The most practical solution seems to be a return to the use of the steam railroads. If this is to be accomplished the railroads must be induced to abandon their policy of reduction of service and substitute for it a policy of increased service; the public Utilities Commission needs to be convinced that such a policy is best for the people of the Commonwealth; the public needs to be educated to make use of the service offered.

This can be done only by wide publicity and advertising. We have instituted such a campaign and ask for your co-operation and support. It will be much appreciated if you will take this matter up with your Boards of Trade and communicate with the Public Utilities Commission in order that they may see that it is the sentiment of the people whom they serve that railroad service should be increased and maintained and that it is within their power to accomplish this.

We are confronted with the fact that train service has been taken away from us to such an extent that the schedules no longer conform to the needs of the public. People traveling to the city find they must wait hours for a return train and have consequently resorted to the use of the automobile. This is a condition the railroads can remedy and receive in return better pay for their service to the public.

We believe in railroad travel. It is quicker, cheaper and safer than motor travel under the present conditions. We believe that better train service and wider use of the trains will aid the growth and advance the prosperity of the suburban towns and solve many of the traffic problems of the cities.

Whatever you may do towards this end will aid not only the other towns and cities of this Commonwealth but your own town in solving its traffic difficulties. A return to the railroad travel means better train service, less congestion on the highways, fewer accidents, and lower cost of road maintenance. Will you not co-operate?

Yours very truly,

Francis D. Newton,  
Southborough, Mass.

*Alfred J. Mercer*  
*Wm. P. Brown*  
*Henry D. Blackman*  
Board of Selectmen

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THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC UTILITIES

(D.P.U. 4224)

July 21, 1931.

Chapter 135 of the Acts of 1931.

An Act Relative to the Liability of Railroad Corporations for Damages in Case of Collisions at Grade Involving their Rail-borne Motor Cars.

Be it enacted, etc., as follows:

Section 1. Section two hundred and thirty-two of chapter one hundred and sixty of the General Laws is hereby amended by inserting after the word "cars" in the second line the words:- or rail-borne motor cars, - and by inserting after the word "section" in the fourth line the words:- or to give signals by such means or in such manner as may be prescribed by orders of the department, - so as to read as follows: - Section 232. If a person is injured in his person or property by collision with the engines or cars or rail-borne motor cars of a railroad corporation at a crossing such as is described in section one hundred and thirty-eight, and it appears that the corporation neglected to give the signals required by said section or to give signals by such means or in such manner as may be prescribed by orders of the department, and that such neglect contributed to the injury, the corporation shall be liable for all damages caused by the collision, or to a fine recoverable by indictment as provided in section three of chapter two hundred and twenty-nine, or, if the life of a person so injured is lost, to damages recoverable in tort, as provided in section three, unless it is shown that, in addition to a mere want of ordinary care, the person injured or the person who had charge of his person or property was, at the time of the collision, guilty of gross or wilful negligence, or was acting in violation of the law, and that such gross or wilful negligence or unlawful act contributed to the injury.

Section 2. The department of public utilities is hereby directed to proceed, as soon as may be after the effective date of this act, under section sixteen of chapter one hundred and fifty-nine of the General Laws, to consider as to the regulations and practices observed by railroad corporations with respect to their rail-borne motor cars, and the equipment and appliances provided by said corporations to be used on such motor cars, in giving signals at or near places where the railroad crosses upon the same level any public way or traveled place and, after a hearing, to fix and prescribe by order the regulations, practices, appliances and equipment thereafter to be observed and used by



18-31

railroad corporations with respect to the giving of signals by rail-borne motor cars as aforesaid.

Approved March 24, 1931.

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Pursuant to the provisions of section 2 of the foregoing act, the Department of Public Utilities will give a public hearing on the subject matter thereof on Wednesday, July 29, 1931, at 10.30 o'clock in the forenoon, at its hearing-room, 166 State House, Boston.

By order of the Department,

ALLAN BROOKS,

Administrative Secretary.

April 6,

26.

Worcester Consolidated Street Railway Co.,  
Worcester, Mass.

Gentlemen:

It has come to the attention of the Board of Selectmen that on the Road leading from Westboro to Marlboro from Otis' Corner north, where your abandoned car line is, the gutter on the outside of the car tracks is completely filled up and that on account of the condition of your roadbed, drainage is being forced over on the road. This has resulted in bad washouts in some places.

As long as you are the proprietors of the right-of-way along your car tracks, it is up to you to see that they are properly maintained, whether you have abandoned the line or not, and that the conditions outlined above are remedied.

Will you please take this matter up with the writer and advise me what you will do about the situation?

Very truly yours,

Selectman, Town of Southborough  
Address: 30 State St.  
Boston, Mass.

CFC3-A



Sept. 18,

26.

Worcester Consolidated Street Railway,  
Worcester, Mass.

Gentlemen:

I wrote you in August regarding taking up  
*on the bridge*  
your rails in the west end of Southborough near what  
is known as the O'Connell place and you wrote me on or  
about August 6 stating you would send your superintendent  
of tracks down to see our superintendent of streets,  
Mr. Amos J. Toombs. To date this has not been done.  
Will you kindly take it up again?

Very truly yours,

Selectman, Town of Southborough  
Address: 30 State St.  
Boston, Mass.

CFC3-A

# WORCESTER CONSOLIDATED STREET RAILWAY COMPANY

107 MAIN STREET

OFFICE OF  
H. C. PAGE,  
GENERAL MANAGER

WORCESTER, MASS.

August 13, 1926

Mr. Chas. F. Choate, 3d.

Board of Selectmen,

Southboro, Mass.

Dear Sir:-

Answering yours of August 6th. I have instructed our Superintendent of Tracks to get in touch with your Supt. of Streets, Mr. Ames W. Toombs, to arrange to take the rails off of the bridge which you refer to.

Very truly yours,



General Manager

P/N



Aug. 6,

26.

Worcester Consolidated Street Railway,  
Worcester, Mass.

Gentlemen:

The Town of Southborough is going to re-surface the bridge near the O'Connell place in the west end of Southborough over which your tracks now pass. I understand that you have abandoned your line in Westboro and Marlboro and are taking up the tracks. When we re-surface this bridge we desire to resurface the whole of it, including the part where your tracks are.

I am informed that the construction of the bridge under your tracks is not the same as the rest of the bridge and that it will be difficult or impossible to lay planks at that point as there is nothing to nail them to.

I wish you would have one of your engineers get in touch with our Superintendent of Streets, Mr. Amos J. Toombs, and discuss with him the question of taking up your tracks over the bridge and the means whereby the Town will be able to lay planks in the place now occupied by your tracks.

Very truly yours,

Selectman, Town of Southborough  
Address: 30 State St.,  
Boston, Mass.

CFC3-A

April 8,

26.

Worcester Consolidated St. Ry. Co.,  
110 Main St.,  
Worcester, Mass.

Attention: H. C. Page, Gen. Mgr.

Gentlemen:

I have your letter of April 7. When you send down your superintendent of tracks to make an investigation of the conditions in Southborough, will you be kind enough to have him get in touch with Amos J. Toombs, our superintendent of streets?

Very truly yours,

Selectman, Town of Southborough  
Address: 30 State St.  
Boston, Mass.

CFC3-A



# WORCESTER CONSOLIDATED STREET RAILWAY COMPANY

107 MAIN STREET

OFFICE OF  
H. C. PAGE,  
GENERAL MANAGER

WORCESTER, MASS.

April 7, 1926

Mr. Chas. A. Choate,  
30 State St.  
Boston, Mass.

Dear Sir:-

Yours of April 6th received. I have instructed our Superintendent of tracks to make an investigation and he will get in touch with you later in regard to the conditions of our tracks in your town.

Very truly yours,



General Manager

P/N

*Write to have him get in touch  
with Trunks*